

203870US6



RECEIVED

JUL 03 2003

TC 1700

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

#6
N.L.H.
78-03

IN RE APPLICATION OF :
Kenji NAKAGAWA, et al. : EXAMINER: TENTONI, L.
SERIAL NO: 09/883,997 :
FILED: June 20, 2001 : GROUP ART UNIT: 1732
FOR: MATERIAL HOLDING :
IMPLEMENT

RESPONSE TO RESTRICTION REQUIREMENT

HONORABLE COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Restriction Requirement dated June 6, 2003, the Applicants elect with traverse the invention of Group I corresponding to Claims 1-3 and 6-8.

The Applicants respectfully traverse the restriction requirement based on MPEP § 803, which states:

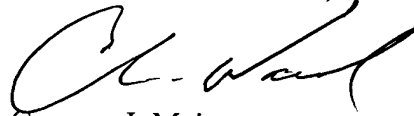
... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, the Applicants respectfully traverse the outstanding restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single invention be withdrawn, and that a full examination on the merits of Claims 1-12 be conducted.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Attorney of Record

Christopher D. Ward
Registration No. 41,367



22850

Customer Number 22850
Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 10/01)

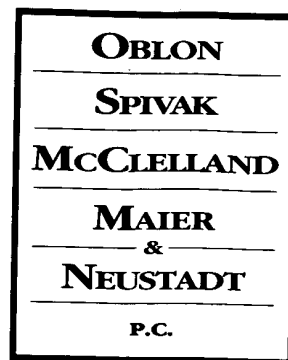
GJM:CDW:brf
I:\atty\cdw\203870US6\election.doc



Docket No.: 203870US6

RECEIVED
JUL 03 2003
TC 1700

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450



ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

CHRISTOPHER D. WARD
SENIOR ASSOCIATE
(703) 413-3000
CWARD@OBLON.COM

RE: Application Serial No.: 09/883,997
Applicants: Kenji NAKAGAWA, et al.
Filing Date: June 20, 2001
For: MATERIAL HOLDING IMPLEMENT
Group Art Unit: 1732
Examiner: TENTONI, L.

SIR:

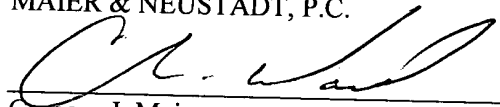
Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION RESPONSE

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier

Registration No. 25,599



22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Christopher D. Ward
Registration No. 41,367